

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

ALOYSIUS TERRELL DAVIS,

Plaintiff,

v.

JOHN DOE and PERFECT TIMING  
TRUCKING, LLC,

Defendants.

CAFN: \_\_\_\_\_

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**DEFENDANT PERFECT TIMING TRUCKING, LLC'S**  
**NOTICE OF REMOVAL**

COMES NOW, Perfect Timing Trucking, LLC (hereinafter “Defendants”), named defendant in the above-styled action, and file this Notice of Removal, respectfully showing this Court the following facts:

**1.**

Plaintiff Aloysius Terrell Davis (hereinafter “Plaintiff”) filed suit against Defendant in the State Court of Fulton County, State of Georgia. This suit is styled as above and numbered Civil Action File No. 22EV0050 (*See generally* Plaintiff’s Complaint).

2.

Written settlement negotiations indicate this matter involves an amount in controversy in excess of \$75,000.00.

3.

This Notice of Removal is filed within 30 days of Defendant's receipt of Plaintiff's Complaint pursuant to the requirements of 28 U.S.C. § 1446(b)(1).

4.

According to the Complaint, Plaintiff is domiciled in and a resident of the State of Georgia. (Plaintiff's Complaint at ¶ 1).

5.

Defendant Perfect Timing Trucking, LLC is a foreign corporation with its principal place of business in the State of South Carolina. Danotione Williams is the only member of Perfect Timing Trucking, LLC and Mr. Williams is domiciled in and a resident of the State of South Carolina.

6.

Therefore, complete diversity exists between Plaintiff and Defendant. 28 U.S.C. § 1332(a)(1); *Triggs v. John Crump Toyota, Inc.*, 154 F.3d 1284, 1287 (11th Cir. 1998).

**9.**

Perfect Timing Trucking, LLC consents to this removal.

**10.**

Thus, as shown above, the aforementioned civil action is a civil action of which this Court has original jurisdiction under the provisions of Title 28 of the United States Code § 1332 and, accordingly, is one which may be removed to this Court by Defendant pursuant to the provisions of Title 28 of the United States Code §1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 and is between citizens of different states.

**11.**

Defendant has attached hereto a copy of Plaintiff's Complaint, a purported Affidavit of Service filed November 7, 2022, and a purported Affidavit of Service filed November 8, 2022, which is the only process, pleadings and/or orders in Defendant's possession regarding this case, such copy being marked Exhibit "A." A copy of the Notice of Filing Notice of Removal is attached hereto as Exhibit "B."

WHEREFORE, Defendant prays that the case be removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

*(Signature on following page)*

This 10<sup>th</sup> day of March, 2023.

Respectfully submitted,  
**SWIFT, CURRIE, McGHEE & HIERS, LLP**

*/s/ Elizabeth L. Bentley*

By:

ELIZABETH L. BENTLEY, ESQ.

State Bar No.: 828730

**Swift, Currie, McGhee & Hiers, LLP**

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*Attorneys for Defendant*

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing **Defendant's Notice of Removal** upon all parties to this matter by filing same with the Clerk of Court using the CM/ECF (Pacer) system which will automatically send an electronic copy of same to all parties and counsel of record as follows:

Greg Bosseler, Esq.  
MORGAN & MORGAN  
178 S. Main Street, Suite 300  
Alpharetta, Georgia 30009

*(Signature appears on following page)*

This 10<sup>th</sup> day of March, 2023.

*/s/ Elizabeth L. Bentley*

By: \_\_\_\_\_  
ELIZABETH L. BENTLEY, ESQ.

State Bar No.: 828730

**SWIFT, CURRIE McGHEE & HIERS, LLP**